

ASSEMBLY BILL

No. 1291

**Introduced by Assembly Member Pavley
(Coauthors: Assembly Members Chan and Goldberg)**

February 22, 2005

An act to add Section 110177 to the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1291, as introduced, Pavley. Food: state-certified logo.

Existing law, the Sherman Food, Drug, and Cosmetic Law, requires the State Department of Health Services to regulate the manufacture, sale, labeling, and advertising activities related to food, drugs, devices, and cosmetics in conformity with the federal Food, Drug, and Cosmetic Act.

Existing law authorizes the department to publish reports summarizing related court judgements, and to distribute food-related information necessary for the protection of the public health.

This bill would require the California Environmental Protection Agency to, by January 1, 2007, establish a state-certified logo that could be affixed to food products that are proven to be free of, or contain acceptable levels of, toxic substances that could harm a child's health, to establish a testing process for participating food products, and to conduct a public awareness program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 110177 is added to the Health and
2 Safety Code, to read:

3 110177. (a) By January 1, 2007, the California
4 Environmental Protection Agency, in consultation with the
5 department, shall establish a state-certified logo to be affixed
6 only to participating food products that are proven to be free of,
7 or contain acceptable levels of, toxic substances that could harm
8 a child's health.

9 (b) The agency shall establish a process whereby a
10 manufacturer or producer of food may apply for participation in
11 the logo program. The process shall provide for testing of the
12 food items to determine compliance with the standards.

13 (c) The agency, with the assistance of the department, shall
14 conduct a public awareness program to accomplish all of the
15 following:

16 (1) Inform the public about the effects upon young children of
17 toxins commonly present in foods.

18 (2) Introduce the logo and inform the public about the
19 program.

20 (3) Inform the public about the high standards required of
21 participating food products and the health benefits to young
22 children of avoiding the toxins.